C407 No. 41 OF 2001
Old no. 350 of 2000
**Hon'ble Irshad Hussain, J.**

None appear for the petitioner. Heard Sri G.S. Sandhu learned A.G.A. and perused the record.

The petition under section 407 of the Code of Criminal Procedure was filed for transfer of sessions trial no. 12/95 from Sessions Court at Nainital to Sessions Court at Moradabad. The petition was filed in the year 2000 when the state of Uttaranchal and High Court of Uttaranchal have not come into existence. After the state was formed infructuous because if the petitioner wants to have the sessions trail transferred from one state to another the application should have been filed in Hon'ble Supreme Court.

The petition having been infructuous is dismissed. Stay order dated 12-9-2000 is vacated and the learned Sessions Judge is directed to expedite the proceedings of the sessions trial no. 12/1995.

**(Irshad Hussain, J.)**

Dated: 28-5-2004
ISB